



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,035	05/10/2001	Ahmad R. Sajadi	2316.1460US01	5056
23552	7590	11/03/2006	EXAMINER	
MERCHANT & GOULD PC P.O. BOX 2903 MINNEAPOLIS, MN 55402-0903			SINGH, RAMNANDAN P	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/853,035

Applicant(s)

SAJADI ET AL.

Examiner

Ramnandan Singh

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on Jul. 24, 2006 has been entered.

Drawings

2. The drawings are objected to because Figures 10A, 10B, 3-9, 11-12 do not show the legends explaining reference numerals used in the figures. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top

Art Unit: 2614

margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. Applicant's amendments to Figures 1 and 2 and the replacement sheet filed on Feb. 13, 2006 are approved.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 8, 10-12, 17, 19-21, 25, 27, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vercruyssen et al [US 20060079135 A1].

Regarding claim 1, Vercruyssen et al teach a telecommunications device shown in Fig. 2, comprising:

a chassis including a card housing [Figs. 2, 6] containing a plurality of splitter cards (i.e. demultiplexers), the housing including top and bottom walls and also including front and back ends and opposing sides, the front end defining an access

Art Unit: 2614

opening for allowing the splitter cards to be inserted into or removed from the card housing [Para: 0004; 0035; 0059; 0067];

a circuit board (123) positioned at the back end of the housing, the circuit board including a front face that faces toward the front end of the housing [Para: 0038; 0043; 0047; 0048; 0052];

a plurality of card edge connectors (123) for providing electrical connections with the splitter cards, the card edge connectors being located within the card housing and being mechanically coupled to the front side of the circuit board [Para: 0047];

first telecommunications connectors mechanically coupled to the front face of the circuit board at the upper portion of the circuit board and second telecommunications connectors mechanically coupled to the front face of the circuit board at the lower portion of the circuit board [Fig. 6; Para: 0055];

the chassis defining upper and lower open side regions for allowing cables to be routed laterally from adjacent the sides of the chassis to the first and second telecommunications connectors, the upper and lower open side regions being located adjacent to the back end of the housing, the upper open side regions being located above the top wall of the card housing and the lower open side regions being located below the bottom wall of the card housing [Figs. 2-7, 10, 12; Para: 0035; 0063; 0065]; and

the card edge connectors (124) being electrically connected to the first and second telecommunications connectors by the circuit board [Figs. 2, 6; Para: 0047; 0054-0056].

Vercruyssen et al do not disclose expressly the circuit board also including an upper portion that extends higher than the top wall of the housing and a lower portion that extends lower than the bottom wall of the housing.

However, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a circuit board that includes an upper portion that extends higher than the top wall of the housing and a lower portion that extends lower than the bottom wall of the housing, since such a modification (or extension) would have involved a mere change in the size of a component, such as the circuit board. A change in size is generally recognized as being within the level of ordinary skill in the art. In re Rose, 105 USPQ 237 (CCPA 1955).

Claims 12 and 29 are essentially similar to claim 1 and are rejected for the reasons stated above.

Claim 21 is essentially similar to claim 1 except for cable management structure located at an outer surface of the first wall of the housing. Vercruyssen et al further teach providing wire cable management as required [Fig. 2; Para: 0035; 0039; 0050; 0052].

Regarding claim 2, Vercruyssen et al further teach the telecommunications device, comprising the splitter cards (i.e. demultiplexers) , the splitter cards being mounted within the card housing and being electrically connected to the circuit board by the card edge connectors (124) [Figs. 2, 6; Para: 0047].

Regarding claims 8, 10-11, 17, 19-20, 25, 27, the limitations are shown above.

6. Claims 3-7, 9, 13-16, 18, 22-24, 26, 28, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over as Vercruyssen et al applied to claims 1, 12, 21, 29 above, and further in view of Staber et al [US 6,996,232 B1].

Regarding claim 3, although Vercruyssen et al teach the telecommunications device for various connections [Para: 0062], they depend on one of ordinary skill in the art to utilize this device for specific connections.

Staber et al teach a telecommunications device, wherein the first telecommunications connectors include LINE and POTS connectors, and the second telecommunications connectors include DATA connectors [Figs. 5-6; col. 5, line 41 to col. 6, line 15].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to make the connections as done by Staber et al in order to deliver

POTS and XDSL to the subscriber [Staber et al; Abstract].

Claim 7 is essentially similar to claim 3 and is rejected for the reasons stated above apropos of claim 3.

Claims 13, 24, 31, 32 are essentially similar to claim 3 and are rejected for the reasons stated above.

Regarding claim 4, since Vercruyssen et al teach the telecommunications device having various pin connectors and wire cable management [Para: 0035; 0041-0042; 0044; 0054; 0056], it would have been obvious to one of ordinary skill in the art at the time the invention was made to use 50-pin connectors adapted for use with 25-pair cables in order to accommodate the LINE, POTS and DATA connectors subject to circuit, system and design constraints. Furthermore, it has been held that the recitation that an element is "adapted for" perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchinson, 69 USPQ 138.

Claims 5-6, 9, 14-16, 18, 22-23, 26, 28, 30 are also rejected for the reasons stated above in claim 4.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramnandan Singh whose telephone number is (571) 272-7529. The examiner can normally be reached on M-TH (8:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramnandan Singh
Examiner
Art Unit 2614

A handwritten signature in black ink, appearing to be 'RNS', with a long horizontal flourish extending to the right.